

Minutes  
Virginia Early Hearing Detection and Intervention Program Advisory Committee Hearing  
Regulations Task Force  
August 19, 2008  
10 am- 12 noon

12 VAC 5 80: “Virginia Hearing Impairment Identification and Monitoring System”

Conference Call Attendees:

Virginia Early Hearing Detection and Intervention Program Advisory Committee Members:

Leslie Ellwood

Kristen Harker

Fredia Helbert

Beth Tolley

Virginia Department of Health Staff:

Michelle Ballard

Ruth Frierson

Gayle Jones

Susan Tlusty

The group met via conference call to discuss developing proposed regulations for 12 VAC 5 80.

A brief history of the regulatory process to date was discussed. This regulation is being amended as a result of periodic review conducted October 2007 to reflect updates from the 2007 Joint Committee on Infant Hearing (JCIH) Position Statement. The Notice of Intended Regulatory Action was published June 9, 2008. No public comments were received.

Issues identified during the periodic review for each regulatory section were discussed. Potential proposed text was outlined.

Under Section 10 (Definitions) a definition for guardian will be added. The definition of parent will be simplified to be consistent with other regulations recently changed. The definition for neonatal intensive care services will be modified to reflect the levels of newborn services as defined 12 VAC 5 410. The definitions for risk factors will be updated to reflect the most current risk factors in the 2007 JCIH Position Statement. The definition for primary medical provider will also be modified to be consistent with other more current regulations.

Under Section 30 (Purpose), text will be added to reflect the intent of the regulation to adopt principles in the 2007 JCIH statement.

Under Section 80 (Hospitals) separate text to address differences in screening expectations for neonatal intensive care units (NICU) will be developed regarding use of ABR technology. For infants in general newborn services the expectation of screening time will be changed from three months to one month of age. The group discussed, but did not have any national reference for a standard related to the age by which infants in the NICU should be tested. Issues related to transfer infants will be addressed for the responsibility of passing on screening status. Old references to the 1999 JCIH statement and false-positive/false-negative rates will be deleted. The

group discussed adding the option of secure electronic data transfer for communicating results to primary medical care providers. Required reporting to VDH will be modified to reflect changes anticipated in the new electronic reporting system including extending the required reporting time to 10 days.

Under Section 90 (Responsibilities of VDH) proposed text will be developed to better define the population receiving follow up. A statement will be added that VDH will provide the mechanism (application) to allow for electronic reporting. The sentence regarding providing resources to parents with hearing loss will be strengthened regarding Part C referrals (to assure that this has been done). Developing protocols will be added to VDH responsibilities. Reporting feedback to hospitals will be changed to a quarterly basis versus an annual basis to reflect current reporting practices.

Under Section 95 (Responsibilities of persons providing audiological services) proposed text will be added to strengthen referrals to Part C for those diagnosed with hearing loss.

The group discussed how to incorporate birthing centers into the regulation as these centers are referenced in the law but do not have separate regulations as hospitals currently do. Home births will not be addressed in this regulation as they are not addressed in the current law. The group will not look to add rescreening for hospital readmits within one month. While recommended by the 2007 JCIH, this appears beyond the scope of the current law and could not be feasibly monitored at this time.

Workgroup findings will be discussed at the Virginia Early Hearing Detection and Intervention Program Advisory Group Meeting on September 26, 2008 and a proposed text will be sent to members for review. The goal will be to provide proposed text for the Board of Health to consider at its October 2008 meeting.